THE [*Numb.* 680.]

MARYLAND GAZETTE,

Containing the freſheſt Advices foreign and domeſtic.

THURSDAY, *May* 18, 1758.

To his Excellency HORATIO SHARPE, *Eſq; Governor and Commander in Chief in and over the Province of* MARYLAND:

The humble ADDRESS and REMONSTRANCE of the Houſe of DELEGATES.

May it pleaſe your Excellency,

WE beg Leave to aſſure your Excellency, that nothing leſs than the Regard we owe to the Preſervation of the Lives, Liberties, and Properties of the good People of this Province, could induce us to trouble you with a Repreſentation ſo diſagreeable to us, as what we are obliged to make to you, on the late March of Two Companies of the Militia, one from *Queen-Anne's* County, which we are informed were ſtationed at *Baker's* Fort, on the Weſtern Frontier, for a conſiderable Time, and the other from *Kent* County, who, in an Attempt to croſs the Bay in their Way thither, were drove back from *Pataſco*, by a violent Storm, into *Cheſter* River, their Veſſels forced aſhore, great Quantities of their Proviſions loſt, and the Men expoſed to the moſt extreme Hardſhips. This we thought our indiſpenſible Duty at our laſt Meeting; but, tho' we look'd upon it as a Matter of a very intereſting Nature, yet we gave a Bill for his Majeſty's Service, and the Security of our Frontiers, the Preference in our Proceedings, and thereby (to our great Surprize and Concern) made Way for your Excellency's ſudden Prorogation (ſoon after the Upper Houſe had paſſed a flat Negative on that Bill) calculated, as we are afraid the World will judge, to deprive us of an Opportunity of laying before your Excellency what we had determined, not only upon that, but on ſeveral other Subjects; in order, as much as in us lay, to put a Stop to thoſe Hardſhips, ſo ruinous to the Properties, and to avert the Conſequences, ſo deſtructive to the Liberties of the People, which naturally muſt flow from a Purſuit of Meaſures in the Adminiſtration of Government, which ſeem at preſent too much to prevail.

As our ſeveral Addreſſes, requeſting your Excellency would be pleaſed to inform us explicitly by what Law or Authority, the Two Companies of Militia from *Kent* and *Queen-Anne's* Counties were ordered to march, have proved ineffectual, we muſt proceed upon a Preſumption that your Excellency gave your Orders for that Purpoſe, by Virtue of the Law *for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof*, which poſſibly you may be of Opinion is in Force; but by your Excellency's ſaying ſo much, in your ſeveral Meſſages on this Subject about the Conduct of the late Lower Houſe, we think ourſelves laid under a Neceſſity, in the firſt Place, to recapitulate the Affair relative to the Marching and Service of the Militia, or rather thoſe who have gone out as Volunteers under that Denomination, at different Times, ſince the Commencement of Hoſtilities with his Majeſty's Enemies; and to repreſent, how widely different the Circumſtances of our unhappy Frontier People were, when thoſe Volunteers went out (for the March of Part whereof your Excellency applied for and had the Approbation of that Houſe) from what they were under when the Militia of *Queen-Anne's* and *Kent* Counties were lately marched.

Some Time about the latter End of *Auguſt* 1756, a Party of the Enemy, ſuppoſed to be about Sixty or Seventy, made an Incurſion in ſeveral Diviſions, fell on the Settlement of *Conococheague* within this Province, and killed and captivated, as it was reported, near Twenty Perſons; on the Second Day after, they made their Retreat. As they were returning, a Priſoner, who underſtood ſome *French*, eſcaped from them, and informed the People, that the Enemy had determined in a Council of War, to return immediately to Fort *Duqueſne*, and then to make another Incurſion into *Conococheague* Settlement, in about Twenty Days.

About the ſame Time, Fort *Granville* in *Penſylvania*, we are informed, was taken and deſtroyed by the Enemy, and the Garriſon, which conſiſted of about Thirty Men, moſtly, if not all, killed or captivated.

At the Opening of the Seſſion in *September* 1756, your Excellency was pleaſed to lay before the then Houſe, a Letter from the Earl of *Loudoun*, then Commander in Chief of all his Majeſty's Forces in *North-America*, informing you of the "Loſs "of *Oſwego*, with all it's Stores and Ammunition, "and the Train placed there; and that the Gar- "riſon was made Priſoners of War, and our Na- "val Power on the Lake deſtroyed." And his Lordſhip was pleaſed, on that Occaſion, to ſhew his Senſe of the imminent Danger hanging over this Province, by expreſſing himſelf in the following Words: "I muſt put you on your Guard, "againſt every ill Conſequence of ſuch an unhap- "py Event; and as you may now expect the "Weight of the *French Indian* Power on your "Back, I muſt caution you to put your Frontiers "immediately in the beſt Poſture of Defence you "are able; as, from the Condition and Number "of Troops left to me, when I came to my Com- "mand, I can ſcarce hope to do more than to re- "ſiſt the *French* Power in theſe Quarters." The Houſe, deeply affected, no Doubt, by the melancholy Situation of their Fellow-Subjects on the Frontiers, were moved to approve a Meaſure, which they little thought at that Time (tho' they might even then eſteem it a Stretch of Power) would be drawn into Precedent for the future, much leſs at a Time when there ſhould be an armed Force in the Pay of this Province on the Frontiers, more than ſufficient, were they compelled to do their Duty, not only to protect the Inhabitants, but to make them eaſy and quiet. And abſtracted from all Conſiderations, whether there be any Law in Force to compel the Militia to march or not, the Gentlemen that were of that Houſe, who are now of This, are now more unanimous in diſapproving your Excellency's Orders for the March of the Militia from *Queen-Anne's*, *Kent*, and *Calvert* Counties, than they were in approving thoſe relative to the March of the Companies from *Baltimore* and *Prince-George's*. And it is not without great Concern they reflect, that what was done at a Time when they believed the Frontiers were under imminent Danger, from ſeveral concurrent Circumſtances (beſides your Excellency's telling them in your Meſſage of the 25th of *September* 1756, "Nothing leſs than ordering Detachments "from the Militia of *Baltimore* and *Prince-George's* "County thither, to cover the Inhabitants, and "encourage them to remain on their Plantations, "would prevent the fine Settlement of *Conoco-* "*cheague* being intirely broke up, and all that "Part of the Country abandoned") ſhould be made uſe of, as a Precedent, for ordering the Militia out at a Time when ſcarce a Perſon could be found, who could truly ſay, he was apprehenſive of any Danger at all.

This ſhews us the Danger of even being ſilent, whenever Power may exceed it's plain and expreſs Limits; and teaches us, that notwithſtanding in ſuch a Caſe there may be a plauſible Appearance of preſent Good, yet we ought to ſuſpect ſome latent Evil is intended, and guard well againſt every bad Conſequence which may poſſibly flow from a Stretch of Power beyond it's due Bounds.

The Seventh of *October* laſt, your Excellency was pleaſed to ſend to us the following Meſſage: "I think proper to inform you, that upon the Ap- "plication of Capt. *Chapline*, a Member of your "Houſe, and a great Number of our Frontier "Inhabitants, I did, the Third of *Auguſt* laſt, "order Capt. *Delaſhmutt* and Capt. *Moſes Chapline* "to march Part of their reſpective Companies, "and to patrole on the Frontiers for their Pro- "tection. The Time for which they were order- "ed out, is now expired; but they tell me, that "if other Parties are not ſent to relieve them, the "Settlement of *Conococheague* will, in all Proba- "bility, be immediately broke up, the People "being thrown into the greateſt Conſternation by "an Account that they have received from the "Mouth of *Opeccan* River in *Virginia*, near which "Place 'tis ſaid, that Seventeen Perſons were kil- "led and captivated by a large Party of *Indians* "the Thirtieth of laſt Month, while the Garriſon "at Fort *Frederick* is too weak and ſickly to ſend "out ſo many and ſuch large Parties, as the In- "habitants think neceſſary for their Security. I "do not chooſe, at this Time, to order out any "more of the Militia without your Advice; but "if you think it neceſſary, I will iſſue Orders for "that Purpoſe." That Meſſage was taken into Conſideration the Eleventh of the ſame Month, and on that Occaſion, thoſe Gentlemen of this Houſe, who were of the late Houſe, ſeem to have acted under a Caution, which the Uſe they began to find was to be made of their former Approbation of your Excellency's Conduct, in ſending out the Militia, had taught them; when they joined the other Members of this Houſe in an unanimous Reſolve the ſame Day, that there was no Neceſſity then of ſending out the Militia, as there were Forces then in the Pay of this Province more than ſufficient to guard the Frontiers thereof, and in Conſequence of that Reſolve, on the Fourteenth, ſent your Excellency the following Addreſs: "We "are greatly concerned to find by your Meſſage "of the Seventh Inſtant, that while there have "been a Number of Troops kept up under your "Command, in the Pay of this Province, on the "Frontiers thereof, more than ſufficient for the "immediate Defence and Security of the back "Inhabitants, there ſhould be Application made "to you by Capt. *Joſeph Chapline*, and a Number "of thoſe People, for Protection againſt their Sa- "vage Enemies: And we cannot but be of Opi- "nion, that if even a Part of thoſe Troops had "been put under and punctually performed the "Duty clearly enjoined them by the Law, by "which they were raiſed and ſupported, there "would not have been any Room for thoſe Ap- "plications, or the leaſt Pretence for ordering out "any Part of the Militia in Conſequence thereof. "And this Opinion we are confirmed in by the "Sentiments of Captain *Joſeph Chapline*, now a "Member of our Houſe, and ſeveral other back "Inhabitants. And therefore, as the ordering "out the Militia is a Meaſure we cannot approve "of, as to what has paſt, ſo we think it would "be wrong for the preſent." We preſume, if your Excellency had then obtained the Approbation of this Houſe, for ſending out the Militia on that Occaſion, you would not, in order to have prevented the Settlement of *Conococheague* being immediately broke up, and to have quieted the People, then in a Conſternation by the Account of the Death and Captivation of Seventeen Perſons at *Opeccan*, have ordered out the Militia of *Queen-Anne's* and *Kent* Counties, or even *Calvert*, tho' it was then a mild Seaſon of the Year: Why then would your Excellency, contrary to the Opinion of this Houſe, at the moſt ſevere Seaſon of the Year, and at a Time when not ſo much as a Report of an Incurſion was ſtirring, ſend out the Militia of *Queen-Anne's* and *Kent* Counties, far diſtant from the Frontiers, and on the Eaſtern Side of the Bay? Or, Why the Militia of *Calvert* now, when may be added to theſe Circumſtances, the Protection we all expect from the Party of *Cherokees*, who, your Excellency knows, are well encouraged by a proper Preſent made them this Seſſion, and have engaged to act offenſively in our Intereſt, and other numerous Parties, which, 'tis ſaid, are now on, and coming to, our Frontiers, probably for the ſame Purpoſe? Indeed your Excellency was pleaſed, in your Meſſage of the 23d of *February* laſt, in Anſwer to our Addreſs of that Day, to ſay, "You had good Reaſon to apprehend, that the

"Soldiers

" Soldiers which had been raiſed for the more " immediate Defence of our Frontier Inhabitants, " would diſband themſelves when they found that " the Aſſembly had broke up, without making " any further Proviſion for their Support: You " thought it your indiſpenſible Duty to order Two " Companies of Militia to the Frontiers, leſt the " People that were ſettled there, being left with- " out any Hopes of Aſſiſtance or Protection, ſhould " deſert their Habitations, or fall an eaſy Prey to " the Enemy:" But as a Bill was ſent up from this Houſe laſt Seſſion, making Proviſion for ſupporting Three Companies of the Soldiers, which had been raiſed for his Majeſty's Service, and the more immediate Defence of our Frontier Inhabitants; (tho' the other Branch of the Legiſlature did not concur therein) it would ſeem that thoſe Soldiers thought they had ſufficient Reaſon to depend, that the ſeveral Branches (the Aſſembly being prorogued only for a few Weeks) would ſoon agree upon ſome Bill for that Purpoſe; and that reaſonable Dependence, we preſume, prevented their Diſbanding themſelves then, and has even to this Time: And ſuppoſing thoſe Soldiers to have been employed in the Duty of their Station, the Occaſion your Excellency is pleaſed to mention for ordering the Militia of *Queen-Anne's* and *Kent* Counties to the Frontier, could not exiſt; even if there had been a Power of ordering them out, which we humbly conceive there was not.

As we chooſe at preſent to avoid entering into a Diſpute with your Excellency, in Relation to the Exiſtence of the Law beforementioned, we ſhall now proceed to repreſent to your Excellency wherein you have exerciſed a Power not given you by that Law (ſuppoſing it were really in Force) in marching the Militia of *Queen-Anne's* and *Kent* Counties to the Frontiers of this Province, and that the Exerciſe of that Power (ſuppoſing it had been ſtrictly legal) at the moſt ſevere Seaſon of the Year, was unneceſſary and extremely grievous, and ruinous to them, and unreaſonably burthenſome to the Country.

That Law (ſuppoſing it to be in Force) ſeems to give Power to every Colonel, *&c.* to inliſt the Inhabitants of this Province to be of the Militia, and to muſter, exerciſe, and train them; and ſeems to ſubject them to a Fine of One Hundred Pounds of Tobacco for Non-Appearance or Refuſal to be inliſted in the Militia or Trained Bands; agreeable to a reaſonable Conſtruction of that Law (ſuppoſing it were in Force) the Inhabitants of this Province are to be Muſtered and Trained in the Counties where they Reſide, and are not to be compelled to Muſter or Train out of their own Counties.

That Law next proceeds to ſettle the Pay of the Officers and Soldiers of the Militia, while they ſhall be in actual Service, and provides how they ſhall be Paid: But it gives no Power to the Governor, or Commander in Chief, or any Perſon Commiſſioned by him, to Compel the Militia of one County to March into another; nor does it Oblige the Militia to Obey the Commands of their Officers, or ſubject them to any Penalty for Diſobedience. In a ſubſequent Clauſe of the ſame Law, there is a very ſevere Penalty laid upon thoſe Perſons that ſhall, upon any Foreign Invaſion, obſtinately refuſe to appear and ſerve in Arms for the neceſſary Defence of this Province; but, we conceive, it's Clear they are not Puniſhable, by that Clauſe, for Refuſing to ſerve in Arms upon any other Occaſion than upon an actual Foreign Invaſion, and then, no longer than until the Invaders ſhall be Repelled; for when that is done, the Country cannot be ſaid to be under an Invaſion; and that Clauſe is the only One which inflicts any Penalty upon a Refuſal to appear and ſerve in Arms.

When the Militia of *Queen-Anne's* and *Kent* Counties, were forced to leave their Habitations and Families, and thoſe of *Queen-Anne's* were tranſported a-croſs the Bay, and Marched to the Weſtern Frontiers, this Province was not under any Invaſion; nor had there been even any Incurſions made by the Enemy for a long Time before their March, that we have heard of: Add to this, That our good Friends the *Cherokees*, with ſome of our own People, were then, as we are informed, on an Excurſion againſt the Enemy. But, upon a Suppoſition there had been an Incurſion of a few *Indians* at the Time the Militia of thoſe Counties marched (which we cannot learn was the Caſe) To what End or Purpoſe could they be ordered to march? It could not be to repel a foreign Invaſion, for there was not, at that Time, even any Report of one; and it is well known to your Excellency, that the ſmall Parties of our Enemies, that have heretofore made Incurſions into this Province, have always departed within a very few Hours after they have done their intended Miſchief; even ſo ſoon that the Rangers that have been paid by this Province, for the Defence and Protection of the Frontier Inhabitants, have either not been able to overtake them, or have not complied with their Duty in making a ſpeedy and proper Purſuit. How then could it be neceſſary or lawful to march thoſe Militia of *Queen-Anne's* and *Kent* Counties to the Weſtern Frontier, if there had been ſuch Incurſions of our Enemies, ſince ſuch March could not poſſibly tend to repel, what perhaps your Excellency may think proper to call an Invaſion! as ſuch Invaſion muſt ceaſe to exiſt long before they could poſſibly arrive at the Place, from whence the Enemy were to be repelled.

We really are at a Loſs to conceive what could induce your Excellency to be of Opinion, that you had a Power, under that Law, to march the Militia beforementioned, unleſs you ſuppoſed you had an Authority under it, to march the Militia of this Province whenever and whereſoever you pleaſed, and that in order to prevent, as well as repel, an Invaſion. But ſurely there are no Words in that Law that can give you that Authority; nor can any Thing be further from the Intent and Deſign of it; for ſuch an Authority would put it in the Power of a Governor of this Province, whenever he found himſelf oppoſed in any Views or Deſigns that he might have, tending to deſtroy the Liberties of the People, to compel the whole Militia of the Province, at any Time when he might ſuggeſt Danger, to march to any Part of the Province he pleaſed, and keep them there, until their Repreſentatives had complied with all his Demands, let them be never ſo extravagant or injurious to the People. Such a Power, we conceive, is not given, nor could ever have been intended to be given by any Men in their Senſes. But, ſuppoſe your Excellency has, by that Law, all the Powers given you that you can ſuggeſt, we beg Leave humbly to Remonſtrate to your Excellency, that the Exerciſe of the Power of marching the Militia of the Eaſtern Shore to the Frontier, upon the late Occaſion, and the Orders for marching a Company of Militia from *Calvert* County thither at this Time, when we are informed there are near Four Hundred Men there, moſt, if not all of whom, your Excellency has ſufficient Reaſon to be convinced, will be paid by this Province; and when the Preſence of our good Friends and Brothers the *Cherokees*, which have continued with us ever ſince *November* laſt, and (as you have been pleaſed to inform us by your Meſſage of the 29th of *March* laſt) " will be of great Service, and in " all Probability contribute much to the Security " of the Inhabitants," has already, and muſt undoubtedly continue to raiſe great Diſcontents and Uneaſineſs in the Minds of his Majeſty's good Subjects of this Province, committed to your Care, and to alienate their Affections from his Lordſhip's Government; and if not deniſted from, but attempted to be continued in Practice, may, we are apprehenſive, be productive of the worſt of Conſequences; for we are informed it is the general Opinion of the People (even of thoſe for whoſe Protection the Militia of *Queen-Anne's* and *Kent* Counties were marched, at that ſevere Seaſon of the Year) that it was not neceſſary for the Protection of the Frontier Inhabitants, to have any Militia there at the Time thoſe Militia were ordered out. From whence, we are apprehenſive, unprejudiced Perſons may infer, that thoſe who adviſed your Excellency to take that Meaſure, intended, under the ſpecious Pretence of affording preſent Protection to a Few, by Degrees to introduce an Arbitrary Power, the Exerciſe of which muſt, in the End, inevitably enſlave the Whole.

If the March of thoſe Militia had been lawful and neceſſary (which we are clearly of Opinion it was not) yet we are humbly of Opinion, that the Impreſſing large Quantities of Proviſions for them, in the Counties they marched from, and conſequently putting the Country to the Expence of Carriages from the ſeveral Places where they were Impreſſed, when they might have been got at a much cheaper Rate in the Frontier County, and thereby the heavy Charge of Carriage moſtly prevented, is impoſing an unneceſſary and heavy Burthen and Tax upon the People; and with what View it has been done, we are at a Loſs to imagine.

We cannot ſuppoſe that your Excellency would purſue ſuch Meaſures, in order to diſquiet and diſtreſs the good People of any particular Part of this Province: But ſhould a Power of marching the Militia, even when there may be any trifling Incurſion (tho' in the preſent Caſe there was none) and that from Counties far diſtant from the Place where it may happen, and carrying their Proviſions from thoſe Counties, when they may be had much cheaper on the Frontier and the Expence of Carriage prevented, be once eſtabliſhed by frequent Uſe, under even plauſible Pretences; if ever this Province ſhould be ſo unfortunate as to be under the Government of a Gentleman of leſs humane and benevolent Diſpoſition than we are perſuaded poſſeſſes your Excellency's Breaſt, we tremble to reflect upon the Conſequences! Might it not juſtly be feared (among many other Evils) that every Man, and every Set of Men, who might in Diſcharge of the indiſpenſible Duty of their Stations, be obliged to act in ſuch a Manner as might embarraſs ſuch a Gentleman in his unjuſt Views, and their Favourers, Adherents, and Dependants, would ſoon feel the Weight of his Reſentment, in being compelled to march to the Frontiers of this Province, there to be ſtationed during his Pleaſure? Not in order to repel a foreign Invaſion, but to diſguſt the People againſt their Repreſentatives, and thereby procure a Compliance with all his unjuſt Demands, let them be never ſo ruinous and deſtructive to the Liberties and Properties of the People? We are ſorry to ſay there is too much Room to fear it might. And we hope we ſhall be excuſed, if, on this Occaſion, we treſpaſs upon your Excellency's Patience, while we bring to public View, the Behaviour of ſome of the good People of this Province, when, from concurrent Accounts, a Probability of a foreign Invaſion appeared to them; and that not in This, but in a neighbouring Province; and compare it with their Behaviour in the preſent Caſe.

Upon a Report's prevailing ſome Time about the Month of *November* 1755, that a Body of about Twelve Hundred *French* and *Indians* had invaded *Penſylvania*, and penetrated as far as the Town of *Lancaſter* in that Government; How did the People of this Province behave? Did they ſhew any Diſloyalty or Diſaffection to our preſent happy Eſtabliſhment? Did they ſhew any Want of Zeal for the Common Cauſe, or Unwillingneſs to aſſiſt their Neighbours? Did they wait till all the Influence of Government was made uſe of to perſuade, and all it's Powers were ſtretched to the utmoſt, and new ones aſſumed, to compel them to march? No, on the contrary, they made the moſt ſpeedy Applications they poſſibly could to the Government, for Leave to march to the Aſſiſtance of their Neighbours, believed, by them, to be in Diſtreſs; and accordingly in a very few Days at leaſt Eight Hundred Men of *Kent* and *Cecil*, were far advanced towards the Northern Frontier of this Province, on their Way to meet the Enemy; and the Militia of ſeveral other Counties had, in the ſame Time, we are informed, got themſelves in Readineſs (as well as they could) to march on the ſame Occaſion; when happily, the Report proved to be groundleſs. The Alacrity, with which many Gentlemen accompanied your Excellency to the Weſtern Frontier, after the unhappy Defeat of his Majeſty's Troops under General *Braddock*, upon only the bare Suggeſtion of an Invaſion, we preſume you cannot but be mindful of. But upon the preſent Occaſion, as there was not ſo much as a Report of even an Incurſion of a ſingle Enemy, among the moſt diſtant of the Frontier Settlers, it cannot be wondered at that the Militia of *Queen-Anne's* and *Kent* Counties ſhewed ſo great an Unwillingneſs to march out, and expoſe themſelves to the Severities of the moſt rigorous Seaſon of the Year, to do a Duty they pay others to perform; and which never was, by any Law of this Province, intended to be impoſed upon them; till at Length by Threats of Puniſhment, we preſume, they were induced to move; for we cannot learn, that any compulſive Methods have yet been made uſe of, agreeable to the Mode preſcribed by the aforeſaid Law, againſt any who refuſed to go.

And we preſume it will be as little wondered at, if the Militia of *Calvert*, or any other County, at this Time ordered to march, ſhould to a Man refuſe; as this Province is happily free from any Invaſion, or any Report of one, and is preparing, in Conjunction with the neighbouring Colonies, and his Majeſty's Regular Forces, to act vigorouſly and offenſively againſt the Enemy; and there is no ſmall Reaſon, from a late Meſſage of his Honour Governor *Denny*, to the Aſſembly of *Penſylvania*, to hope, that moſt of the *Indians* to the Weſtward of us are well inclined, at leaſt to forbear their Incurſions.

Upon the Whole, we cannot but entertain the warmeſt Hopes, that your Excellency, moved by the calamitous Circumſtances, which many of his Majeſty's faithful and truly loyal Subjects have already been and muſt inevitably be reduced to, by being marched to the Frontier of this Province, at a Seaſon of the Year the moſt ſevere, and there

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ſtationed for ſo long a Time, as muſt render it impoſſible for them to give that Attendance to their Crops which is neceſſary, in order to procure a bare Subſiſtence to their Families, and to enable them to pay the Public Taxes, neceſſarily already, and which muſt be hereafter impoſed, for his Majeſty's Service, and their own Security: And clearly ſenſible of the ſlaviſh Condition we and our Poſterity muſt be reduced to (for we are perſuaded from your Excellency's real Inclination) by the introducing into Practice, and eſtabliſhing ſuch a Power, under the aforeſaid Law (were it undoubtedly in Force, which we cannot allow) as your Excellency in the preſent Caſe has been adviſed to carry into Execution: We ſay, we cannot but depend, that your Excellency's really benevolent Diſpoſition will ſo far excite your Compaſſion for our Fellow-Subjects, who have ſuffered on the late, and who may ſuffer on the preſent Occaſion, and our lateſt Poſterity who muſt ſuffer on all like Occaſions, that it will induce you to take an attentive and diſpaſſionate Review of the whole Affair; from which we muſt expreſs our Confidence, that your Goodneſs will prompt you to give immediate Directions for preventing any further Attempts for marching the Militia from *Kent* County, who have ſo greatly ſuffered already; and to recal your Orders for the March of the Militia of *Calvert*, or any other Counties, now under Orders for that Purpoſe (thoſe of *Queen-Anne's* County we need not mention, as their Sufferings are now paſt Redreſs) that they may all, at leaſt while they pay ſo many to protect them, remain quiet at their Homes, in the Purſuit of their ſeveral Occupations and Employments, for the Support of their Families, and the Benefit of the Public.

And we muſt further expreſs our Confidence, that your Excellency will not for the future, give any Orders for the March of any of the Militia of this Province, unleſs at a Time when the Occaſions, mentioned in the aforementioned Law, do really and manifeſtly exiſt; and when they do, we are perſuaded the People will readily overlook any extraordinary Exertion of Power, that ſuch calamitous Circumſtances might render abſolutely neceſſary for their Safety.

HENRY HOOPER, Speaker.

April 17, 1758.

From the LONDON GAZETTE.

WHITEHALL, *January* 28.

HIS Majeſty in Council was this Day pleaſed to appoint the following Perſons to be Governors and Lieutenant-Governors in America, viz.

George Haldane, Eſq; to be Captain-General and Governor in Chief of the Iſland of Jamaica, in the Room of Charles Knowles, Eſq; who hath reſigned.

Francis Bernard, Eſq; to be Captain-General and Governor in Chief of his Majeſty's Province of New-Jerſey, in the Room of Jonathan Belcher, Eſq; deceaſed.

Francis Fauquier, Eſq; to be Lieutenant-Governor of his Majeſty's Colony of Virginia, in the Room of Robert Dinwiddie, Eſq; who hath reſigned.

And, Thomas Hutchinſon, Eſq; to be Lieutenant-Governor of his Majeſty's Province of the Maſſachuſetts-Bay, in the Room of Spencer Phips, Eſq; deceaſed.

LONDON, *February* 24.

Extract of a Letter from Portſmouth, Feb. 13.

"Yeſterday arrived here, with the Meſſenger belonging to the Admiralty, in the greateſt Haſte, a Perſon who was immediately introduced, by Orders from above, to Admiral Boſcawen, of whom the following Particulars have tranſpired. This Perſon was ſome Time ſince Maſter of an Engliſh Veſſel, trading from Port to Port in North-America, particularly up the River St. Lawrence; but being taken by the Enemy, has been Priſoner with the General Moncalm and Others near 3 Years, who would not admit of any Exchange for him, on Account of his extenſive Knowledge of all the Coaſt, more particularly the Strength and Soundings of Quebec and Louiſburg; they therefore came to a Reſolution to ſend him to Old France, in the next Packet-Boat, there to be confined till the End of the War. He was accordingly embarked (the only Engliſhman) and the Packet put on board. In their Voyage he was admitted to the Cabbin, where he took Notice one Day they bundled up the Packet, and put it into a Canvas Bag, having previouſly thereto made it ready to be thrown overboard, upon any Danger of being taken.

"They were conſtrained to put into Vigo for ſome Proviſions, as alſo to gain ſome Intelligence of the Strength of the Engliſh in thoſe Seas; there they found one or more Engliſh Men of War at Anchor, upon which he thought it a proper Opportunity of putting the following Scheme in Execution. One Night taking the Opportunity of all but the Watch, being in a ſound Sleep, he took the Packet out of the Bag, and having ſixt it in his Mouth, he ſilently let himſelf down into the Bay; and to prevent Noiſe by Swimming, floated upon his Back into the Wake of the Engliſh Man of War, where he ſecured himſelf by the Hawſer; and upon calling out for Aſſiſtance, was immediately taken on board, and the Packet entire. The Captain examined him, treated him with great Humanity, gave him a Suit of his own Cloaths, Scarlet trimmed with black Velvet, which he here appeared in; tranſcribed the Packet, which is ſaid to be of the utmoſt Importance in regard to our Succeſs in North-America, and then ſent him Poſt over Land with the Copy of the Packet to Liſbon; from whence he was brought to Falmouth in a Sloop of War, and immediately ſet out Poſt for London. Upon his Arrival in Town he was examined by proper Perſons in the Adminiſtration, and rewarded with a preſent Supply; and by his own Deſire was immediately ſent to Portſmouth, to go on board Admiral Boſcawen's own Ship, upon the preſent Expedition to North-America.

"P. S. He was juſt four Days going from Falmouth to London, and from London to Portſmouth."

The Captain abovementioned has received a Preſent of 500 l. and, upon his coming to Nova-Scotia, is appointed to the Command of a Sloop of War.

The following is ſaid to be a complete Liſt of the Engliſh, French, and Spaniſh Fleets, viz.

ENGLISH. 156 Line of Battle Ships.
118 Frigates, carrying from 40 to 12 Guns.
46 Bombs, Yatchts, Hoys, Hulks, &c.
320 Beſides which there are now on the Stocks, in great Forwardneſs, four Ships to carry 74 Guns, two of 70, four of 64, ſix of 36, and ten of 28 Guns; the latter of which are moſtly built of Fir, and are to carry 12 Pounders.

FRENCH. 77 Line of Battle Ships.
39 Frigates, carrying from 36 to 12 Guns.
116

SPANISH. 52 Line of Battle Ships.
26 Frigates, from 50 to 16 Guns.
4 Packet-Boats, mounting 16 Guns.
13 Xebeques of 12 Guns.
4 Bombs of 12 Guns.
4 Fire Ships.
103 Which to man only as Engliſh Ships are manned, would require 36,996 Seamen; a Number very difficult to be found in Spain.

BOSTON, *May* 1.

Capt. French arrived here Yeſterday in 7 Days from Halifax; by him we learn, that the Fleet were ſtill off Louiſburg; that Capt. Rous had returned to the Fleet, without diſcovering the Ship he went in Purſuit of, but took a French Snow of 110 Tons, bound from Cape-François to Cape-Breton, laden with Melaſſes, Rum, &c. and ſent her to Halifax; the Prize-Maſter of which reported there, that he ſaw 17 Sail of large Ships, about 25 Leagues E. of Cape-Breton, ſtanding a direct Courſe for that Place, but whether Engliſh or French he could not diſcover, and that he was chaſed by a Frigate from ſaid Fleet, but Night coming on, gave over the Chaſe.

Capt. Jacocks, who arrived here laſt Saturday, left London the 4th of March, and ſailed from Portſmouth on the 12th under Convoy of the Pinguin and Surprize Men of War, with about 30 Sail of Merchantmen, bound to South-Carolina, Virginia, Philadelphia, and Boſton.——Admiral Hawke ſailed the 11th from Portſmouth with a Number of Men of War, and was to join ſeveral others at Plymouth, but where bound was an intire Secret.——The Maſter of a Ship who lay at the Downs in Company with Capt. Jacocks, received a Letter on the 9th of March from his Merchant in London, in which was incloſed a Gazette, giving an Account of a bloody Battle between the Hanoverian and French Armies, in which the former gained a compleat Victory, and drove the latter out of Hanover.——Admiral Boſcawen ſailed from Spithead the 24th of February with a large Fleet of Men of War, bound to America, and as there was fine fair Winds for ſome Time after, 'twas thought he would have a good Paſſage.——Capt. Jacocks was ſeparated from the Fleet in the Night of the 21ſt of March, by bad Weather, being then in Lat. 46. Long. 13 W. when he made the beſt of his Way to this Place.—There was no Account of the French Fleet's ſailing when Capt. Jacocks left England.—

WILLIAMSBURG, *April* 28.

By the beſt and lateſt Accounts from the Counties of Bedford and Halifax, we are informed, that the ſavage Enemy have killed and captivated upwards of 70 Perſons, and burnt and deſtroyed ſeveral Houſes and Plantations; that the upper Inhabitants of thoſe Counties have chiefly deſerted their Plantations, and flock in great Numbers to the lower Counties for Safety and Protection, leaving their Proviſions and Stocks behind them, which the Barbarians have the Uſe and Benefit of.

May 5. By an Expreſs arrived in Town Yeſterday from Auguſta, we learn that the Enemy Indians are very numerous on the Frontiers, that they have lately taken and burnt two of our Forts, where were ſtationed one of our ranging Companies, 40 of whom were killed and ſcalped, and Lieutenant Dunlop with 19 Men miſſing.

ANNAPOLIS, *May* 18.

This Day his Excellency our Governor ſet out for the Weſtward.

The Embargo on all Shipping in this Province, will be taken off on Monday the 22d Inſtant.

Saturday laſt his Excellency our Governor Prorogued the General Aſſembly of this Province, to Monday the 26th of *June*.

The following LAWS *were Paſſed this Seſſion*, viz.

An Act for Encouragement of a Party of *Cherokee Indians*, which have been ſome Time on the Frontiers of this Province, and for Payment of the reaſonable Expences of their Interpreter and Conductor.

An aiding Supplementary Act to an Act, entituled, *A Supplementary Act to an Act, entituled, An Act to enable the Juſtices of* Baltimore *County Court, to aſſeſs and levy on the taxable Inhabitants of* St. George's *Pariſh, in that County, a Sum of Money for the Uſes therein mentioned.*

An Act to make it penal to forge or counterfeit the Bills of Credit of *Virginia, Pennſylvania, New-York, Eaſt* or *Weſt Jerſeys*, or the Three Lower Counties on *Delaware*, called *New-Caſtle, Kent* and *Suſſex*, or to utter or tender the ſame in Payment within this Province, knowing them to be ſuch.

An Act relating to Guardians and Orphans.

An Act to repeal Part of an Act entituled, *An Act repealing Part of an Act laying an Impoſition on Negroes, and on ſeveral Sorts of Liquors imported; and alſo on* Iriſh *Servants, and to prevent the Importing too great a Number of* Iriſh *Papiſts into this Province; and to lay a Duty upon Rum, Spirits, Wine and Brandy, imported into this Province from* Pennſylvania, *or the Three Lower Counties on* Delaware, *called* New-Caſtle, Kent *and* Suſſex.

A Supplementary Act to an Act, entituled, *An Act for granting a Supply of Forty Thouſand Pounds for his Majeſty's Service, and ſtriking Thirty-four Thouſand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raiſing a Fund for ſinking the ſame.*

THERE is at the Plantation of Capt. *Philemon Dorſey*, in *Anne-Arundel* County, taken up as a Stray, a Bay Mare, with a Star and a Snip, branded on the near Buttock thus M—, has three white Feet, and appears to be old.

The Owner may have her again, on proving his Property, and paying Charges.

THERE is at the Plantation of *James Rigbie*, on the North Side of *Deer Creek*, in *Baltimore* County, taken up as a Stray, a middle ſiz'd Grey Horſe, with a Swallow Fork taken out of his Ear, and paces.

The Owner may have him again, on proving his Property, and paying Charges.

THERE is at the Plantation of *James Grimes*, in *Anne-Arundel* County, taken up as a Stray, a ſmall Sorrel Horſe, branded on the near Shoulder with HP (in a Piece), and on the near Buttock with a Blotch.

The Owner may have him again, on proving his Property, and paying Charges.

TO BE SOLD BY PUBLIC VENDUE,

On WEDNESDAY *the* 24*th of this Inſtant* May, *at the Houſe of Mr.* James Cary, *in* Baltimore-Town, *for Sterling Money or good Bills of Exchange*,

SUNDRY SAILS, ANCHORS, GUNS, RUNNING RIGGING, and other MATERIALS, ſaved from the Wreck of the Ship *Unity*; and alſo the WRECK of the ſaid SHIP, as it now lies in the *North-Weſt-Branch* of *Patapſco* River; and the BOATS belonging to the ſaid Ship. The Sale to begin at XII o'Clock in the Forenoon. The ſaid Sails, &c. may be viewed at any Time before the Sale, on Application to the Subſcriber; or Mr. *William Lux*, Merchant, in *Baltimore-Town*. JOSEPH RICHARDSON.

RAN away from the Subscriber, living in *Queen-Anne's* County, *Maryland*, the first of this Instant *May*, Two Servants, *viz.*

One named *John Jackson*, about 50 Years of Age, well-set, about 5 Feet 8 Inches high, and pitted with the Small-Pox. Had on and with him, a blue Cloth Coat, a brown Jacket, a Pair of lightish colour'd Breeches, lined with Shammey Leather, an under Country Kersey Jacket, without Sleeves, and a Pair of Country Kersey Breeches, two coarse Shirts, and one white Ditto, a Pair of Shoes and Stockings, a Hat and Wig, and a *Scotch* Bonnet. He is a Bag Pipe Player, and has a Set of Pipes with him.

Mary Jackson, a lusty Woman, 40 Years of Age or thereabouts, born in *England*, but speaks much like a *Scotch* Woman, of a brown Complexion. She had on and with her, an old Top-sail Gown, a lightish colour'd Camblet Quilted Petticoat, a Check Apron, an old white Cloth Cloak, an Osnabrigs Shift, and two white ones, and a Pair of Country Shoes and Stockings, with sundry other Things too tedious to mention. 2

The above Servants are Man and Wife, and are supposed to have some Money with them.

Whoever apprehends them, and secures them so as their Master may get them again, shall receive a Reward of Ten Shillings for each, beside what the Law allows, if taken in the County; if out of the County, and in the Province, Twenty Shillings for each; if out of the Province, a Pistole for each or either, paid by

WILLIAM CLAYTON.

May 7, 1758.

RAN away last Night from the Subscriber's Plantation, at the *Garrison* in *Baltimore* County, *Maryland*, a Convict Servant Man named *James Griffitts*, a West Country-man, speaks broad and hoarse, and has a down Look, of middling Stature, brown Complexion, is a Husbandman, and appears as if he had a Rupture. Had on a Country-Cloth Waistcoat, new Felt Hat, Country Breeches, new Shoes ironed round the Heels and Soles, old Stockings, and two Osnabrigs Shirts. 2

It is likely he may travel by an Indenture of one *Holford Burch*, which it's thought he has got.

Whoever secures the said Servant, or brings him to his Master at the *Baltimore* Iron-Works, shall have Twenty Shillings, if taken Fifteen Miles from home; Forty Shillings, if Thirty Miles; and Three Pounds, if Forty Miles, and reasonable Charges.

R. CROXALL.

JUST IMPORTED from *LONDON*, *And to be Sold by the Subscriber, at Mr.* PATRICK CREAGH's *Store in* ANNAPOLIS, *at very reasonable Rates, for Cash or short Credit,*

DRY White Lead, and Whiting, Seines from Twenty-five to Thirty-five Fathoms long, brown Osnabrigs, *Irish* Hollands, white and brown *Irish* Sheeting, Tandems, Garlix, Linen and Cotton Checks, striped Hollands and Cottons, brown Hollands, Linen and Cotton Handkerchiefs, Bed-Ticks, *&c.* coarse and fine Threads, white and printed Callicoes, Broad-Cloths, Kerseys, Fearnoughts, Flannels, and *Welch* Cotton, Castor and Felt Hats, Fishing Lines and Hooks, Copper and Brass Ware, Cutlery of all Sorts, Stone and Earthen Ware, Saddlery, Tin Ware, *&c. &c.* 5

RICHARD MACKUBIN.

STRAYED from the Subscriber the Third of *April* last, a Roan Horse, between 14 and 15 Hands high, about 8 Years old, paces pretty well, has a short Switch Tail, is shod before, and branded on one of his Buttocks I S H. x 6

Whoever will bring the said Horse to the Subscriber, living near *Elk-Ridge* Church, shall have Twenty Shillings Reward, paid by

WILLIAM COALE.

AMOS FOGG,

Is removed from the Red House, *to the Sign of the* WHITE HORSE, *in* BALTIMORE-TOWN, *the new Brick House belonging to Mr.* Thomas Sligh,

WHERE all Gentlemen and Ladies will find good ENTERTAINMENT as usual, from *Their humble Servant*, AMOS FOGG. x 6

TO BE SOLD BY PUBLIC VENDUE, *for Current Money, or good Bills of Exchange, on* MONDAY *the* 12*th of* JUNE, *and Week following, at* ONION's *IRON-WORKS, on* Gunpowder *River, in* Baltimore *County*,

HORSES, Cows, Sheep and Hogs; a valuable Number of choice NEGROES, a Parcel of choice Salt, and Sundries, too tedious to mention here.

Also to be Let, the Term of Three Years, to enter upon and commence from the First Day of *November* next, and then ensuing, the said IRON-WORKS; in which are Furnace, Forges, a Grist-mill, and Saw-mill, all situated within the Bounds of 350 Yards, and sufficiently supplied with Water at all Times. In the Forges are Three Fineries, and one Chafery, and a Store for Bar-Iron. The Tide in the River *Gunpowder* makes to the Furnace Door; all which, with the Dwelling-Houses, Out-Houses, Lands, Pasture-Grounds, Meadows, Orchards, Mine-Banks, and all Appurtenances belonging, will be Let on reasonable Terms; for which apply to the Subscriber on the Premises.

All Persons indebted to me, whether by Bond, Bill, simple Contract, or Specialty, of whatsoever Kind, are hereby desired to make immediate Payment. 5

JOSEPH SMITH.

Queen's-Town, April 11, 1758.

WHEREAS the Subscriber intends for *Great-Britain* this ensuing Summer; he hereby desires all Persons who have any just Demands against him (or Capt. *David Alexander*) to bring in their Accounts, that they may be adjusted: And all those who are indebted to him, are likewise desired to come and settle their respective Accounts, and make speedy Payment, in order to prevent Trouble.

All Persons indebted to the Estate of Captain *David Alexander*, late of *Talbot* County, deceased, are also desired to make immediate Payment, as no further Indulgence can or will be given by 2

6 ANTHONY M'CULLOCH, Administrator.

IF *Mary Clark*, alias *Sunderland*, who was born in *Stepney* Parish, at *London*, and came over to *Maryland* Eight or Ten Years since, be yet Living, and will apply to Capt. *Thomas Beare*, of the Ship *Tryton*, now lying at *Nottingham* in *Patuxent* River, she will have a satisfactory Account from her Friends. x 6

PURSUANT to an Act of Assembly of this Province, directing the Administratrix of *Talbot Risteau*, deceased, to dispose of Two LOTS of GROUND, in the Town of *Joppa*, on which is erected a SPACIOUS BRICK DWELLING-HOUSE, KITCHEN, GARDEN, and sundry OUT-HOUSES, in very good Repair: These are to give Notice, That the Subscriber proposes to dispose of the said LOTS and HOUSES, in the Town of *Joppa*, in *Baltimore* County, to the highest Bidder, on Wednesday the Second Day of *August* next, at the Court-House in the said Town of *Joppa*, for the Purposes in the said Act mentioned.

SUSANNA RISTEAU.

N. B. The HOUSES are very convenient for any Store-Keeper, or private Gentleman, being adjoining on the River *Gunpowder*, and have a Wharff, at which small Vessels may Load or Unload. 10

To be Sold together or separately,

THE Two following Tracts of LAND, lying in *Calvert* County: The one called *Hard Travail*, at the Head of *Battle-Creek*, near the Church, containing about Four Hundred Acres, extremely well wooded and timbered: The other called *Harwood*, lying at the Head of *Battle-Creek*, containing Five Hundred Acres.

Time will be allowed for Payment, upon giving Bond. 12

B. TASKER.

SOME Time in *December* last, a BARREL of PEPPER, without any Mark or Direction, was sent by the Stages from *Philadelphia* to *Annapolis*, and returned from thence to *Sassafras*, as no Owner could be found for it. The Owner is hereby requested to apply to the Master of the *Sassafras* Stage Boat for the said Barrel, and pay him the Charges thereon, and the Charge of this Advertisement. 10

TO BE SOLD,

THE Three following TRACTS of LAND (formerly mortgaged to Mr. *Robert Swan* by *Aaron Lynn*, late of *Somerset* County) lying on *Broad-Creek* at the Head of *Nanticoke* River, *viz.*

Walbrook, containing 260
Carter's Lott, — — — 100 } Acres.
Aaron's Folly, — — — 150

Any Person inclinable to purchase all or either of said Tracts, may apply for Terms to JAMES JOHNSON in *Annapolis*, or

ROBERT COUDEN, Attorney in Fact for *Robert Swan*.

A SCHEME OF A

LOTTERY,

For Raising the SUM of FOUR HUNDRED and THIRTY-FIVE POUNDS, for further Securing the DOCK in ANNAPOLIS, and other Public Uses within the said CITY; to consist of 4000 TICKETS, at 15*s.* each, 1204 of which are to be fortunate, *viz.*

Prizes.		Value.		Amount.
1	of	100 £.	is	100 £.
2	of	75	are	150
4	of	50	are	200
8	of	25	are	200
12	of	15	are	180
20	of	10	are	200
30	of	5	are	150
125	of	2	are	250
1000	of	1:1:6	are	1125
1 first Drawn, not otherwise a Prize				6
1 last Drawn, Ditto,				4
1204 Prizes,			Amounting to	2365
2796 Blanks.			Sum raised £.	435 for above Uses.

4000 Tickets at 15*s.* each, make 3000 £.

THE Uses to which the above Sum of 435 £. is to be applied, tending to the Public Good and Service of the Community, as well without as within this City; the best Expedient that could be fallen on at this Time for raising that Sum, being a LOTTERY, and the Scheme thereof calculated so much to the Advantage of the Adventurers (there not being Two Blanks and a Half to a Prize, and the Deduction on the whole not 15 *per Cent.*) Nothing more need be said for its Recommendation: And it is not doubted but the Tickets will soon be all Sold, as near One Thousand of them are already engaged.

When the Tickets are dispos'd of, the Drawing is to begin immediately, in the Court-House in *Annapolis*, in the Presence of Five of the Managers at least, and as many of the Adventurers as shall think proper to attend.

The Managers, *viz.* Messieurs *John Brice*, *Stephen Bordley*, *Nicholas Maccubbin*, *James Dick*, *Walter Dulany*, *John Raitt*, *William Roberts*, *Lancelot Jacquet*, *William Reynolds*, *Jonas Green*, *Henry Woodward*, *James Johnson*, *John Clapham*, and *Bennett Chew*, are to give Bond and be upon Oath for the faithful Discharge of their Trust.

A LIST of the PRIZES to be published in the *Maryland* GAZETTE; and Paid off, without any Deduction, as soon as the Drawing is finish'd: And those not demanded in Six Months afterwards, to be deemed as generously given to the Public, for the Uses above-mentioned.

The whole to be conducted, as near as may be, in the same Manner as State Lotteries in *England*.

Tickets to be had of any of the Managers.

N. B. Fourteen Days Notice, at least, will be given in the GAZETTE, of the Time of Drawing.

Charles County, *New-Port, Feb.* 14, 1758.

THE Subscriber once more gives this public Notice, that those who are indebted to him on Account of the Store he lately kept here, at the House of Mr. *John Winter*, and do not immediately pay off their respective Ballances, or secure them by Bond or otherwise, to the Satisfaction of Mr. *Andrew Buchanan*, who now keeps Store at the same Place, and has full Power to collect and receive those Debts, may depend on being sued, without Loss of Time or Respect of Persons.

Those who have any Demands against the said Concern, are likewise desired to bring in their Accounts directly, and apply to the said Mr. *Buchanan* for Payment. ALEXANDER LOTHIAN.

ANNAPOLIS: Printed by JONAS GREEN, POST-MASTER, at his OFFICE in *Charles-street*; by whom all Persons may be supplied with this GAZETTE, at 12*s.* 6*d. per* Year. ADVERTISEMENTS of a moderate Length are taken in and inserted for Five Shillings the first Week, and One Shilling each Week after the First.